

**KANAB CITY COUNCIL MEETING
NOVEMBER 9, 2010
KANE COUNTY COMMISSION CHAMBERS**

PRESENT: Mayor Nina Laycook, Council Members Shaun Smith, Tony Chatterley, James Sorenson, and Ed Meyer, City Attorney Van Mackelprang, City Manager/Recorder Duane Huffman and City Treasurer RaeLene Johnson. Council Member Mower excused.

Prayer was offered by Van Mackelprang.

WORK MEETING: City Manager Huffman gave a budget update on general fund revenues and expenditures and a report on the airport and bridge projects. Kelly Stowell addressed the Council representing the Chamber of Commerce on behalf of the local businesses. They are concerned with the business license fees increasing. He invited the Council to the Business of Arts Council luncheon at the middle school. There will be a Chamber luncheon on December 16th. There will also be a parade of lights this year with Fredonia. It will be a fund raiser to raise funds for needy families.

Mayor Laycook opened the regularly scheduled meeting at 7:00 p.m.

APPROVE MINUTES AND VOUCHERS: A motion was made by Council Member Sorenson and 2nd by Council Member Smith to approve the minutes of the October 26th meeting and the vouchers. Motion passed unanimously. Council Member Mower absent.

PUBLIC HEARING/RECEIVE INPUT FROM THE PUBLIC WITH RESPECT TO THE ISSUANCE OF THE REVENUE BONDS TO FINANCE KANAB CREEK BRIDGE: A motion to go into a public hearing was made by Council Member Sorenson and 2nd by Council Member Chatterley. Motion passed unanimously. Council Member Mower absent. It was noted that the revenue bonds will be a 10 year interest free loan. The loan payment will come from some of the Class C road money. A motion to go out of public hearing was made by Council Member Chatterley and 2nd by Council Member Smith. Motion passed unanimously. Council Member Mower absent.

CONSIDER REQUEST FOR ZONE CHANGE FROM AGRICULTURAL ZONE TO MANUFACTURING AND DISTRIBUTING ZONE (M2 LIGHT MANUFACTURING) FOR JIM GUTHRIE LOCATED AT 400 EAST KANEPLEX DRIVE, KANAB, UTAH, FOR 9,.975 ACRES OF PROPERTY THE PARCEL ID K-13-UTAH-ANNEX LOCATED AT SECTION 10, TOWNSHIP 44 SOUTH RANGE 6 WEST, SLB & M. Council Member Sorenson said that the Planning Commission's findings on this zone change request met all the legal requirements. They were: 1. No public comments opposing the zone change 2. Its compatible with location of existing neighboring property 3. It is compatible with existing uses of neighboring property 3. There is a letter from SITLA (School & Institutional Trust Lands Administration) in support of zone change 4. It is compatible with future land use map 5. The zoning meets proposed uses and is compatible with master plan and land use guidelines 6. Neighboring property owners support the zone change. Jeff Frey ask about neighboring zones. The Council told him that you can place residential agriculture next to a M2 zone which most of the property around there is zoned. The next step after this zone change will be a site plan which will go before the Planning Commission. Council Member Meyer stated that Jim Guthrie, president of Viresco Energy and

Guthrie Construction Company, was presented the Distinguished Service Award for industry for his many contributions to CE-CERT such as the establishment of the annual Guthrie Graduate Research Award. A motion was made by Council Member Sorenson to approve the zone change request from agricultural to manufacturing and distributing zone for Jim Guthrie located at 400 East Kaneplex Drive. Motion 2nd by Council Member Meyer. Motion passed unanimously. Council Member Mower absent.

CONSIDER ORDINANCE 11-1-10 O AMENDING BUSINESS LICENSE FEES: City Manager Huffman discussed the fees for business licenses. The possibility was discussed of raising the fees from \$50 to \$70 and instead of \$10 per average employee, it be changed to \$12. Also move the due date from Jan 1 to April 1 and expiration date from December 31 to March 31 of each year. Council Member Meyer felt that this time period would be easier for businesses to handle. The tourist season would be better at that time. The business fire inspection fee would be flattened to \$25 which will be paid at the time of the business license application. Council Member Sorenson is concerned about raising fees for the businesses. Shaun Smith felt that the business license fees were included in the budget. He said the City was going to raise the swimming pool fees and the business license fees. Council Member Sorenson felt it was a mistake to penalize the businesses. Council Member Meyer made a motion to adopt Ordinance 11-1-10 O amending general ordinances Section 9-114 Payment Dates and Section 10-141 Fee For Inspection with the modification that the fees remain at the present rate, but flatten the inspection fee to \$25. Motion 2nd by Council Member Sorenson. Motion passed by roll call vote as follows: Council Members Sorenson, Chatterley and Meyer voting yea and Council Member Smith voting nay. Council Member Mower absent.

CONSIDER RESOLUTION #11-1-10 R REQUESTING ADMISSION TO THE FIREFIGHTERS NON CONTRIBUTORY RETIREMENT SYSTEM: A motion was made by Council Member Chatterley and 2nd by Council Member Smith to adopt Resolution #11-1-10 R requesting admission to the firefighters non contributory retirement system. Motion passed unanimously. Council Member Mower absent.

CONSIDER RESOLUTION #11-2-10 R ODFI ORIGINATOR AGREEMENT (NECESSARY FOR ON-LINE BANKING TRANSACTIONS THROUGH XPRESS BILL PAY): This is a new Federal requirement. A motion to adopt Resolution #11-2-10 R ODFI Originator Agreement was made by Council Member Meyer and 2nd by Council Member Chatterley. Motion passed unanimously by roll call vote. Council Member Mower absent.

EVALUATIONS: City Manager Huffman expressed his gratitude for the Police Chief and the Library Director and all the help they give him. A motion was made by Council Member Meyer and 2nd by Council Member Sorenson to approve the merit evaluations and pay increases for City Manager, Duane Huffman, (who will be taken off of probation), Police Chief Tom Cram, Library Director Dicki Robinson and Patrolman II Darren Coleman. Motion passed unanimously. Council Member Mower absent.

A motion to adjourn was made by Council Member Sorenson and 2nd by Council Member Chatterley. Motion passed unanimously. Council Member Mower absent.

